IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD T. ESSLINGER, GLORIA :

GLOVRE, ARDATH ROGERS, :

MARILYN RIVERA, DWIGHT C. SAMUELS, CYLINDA MCALISTER,

PEGGY COLTON, CONSTANTINE :

YIANNACOPOULOS, DESHEA HEAD, : CASE NO.: 2:10-cv-03213-BMS

JAMES W. MCKINNEY, NANCY :

JANOWSKI, and MARGARET :

REENER, Individually and On Behalf
Of All and all Others similarly situated:

:

Plaintiffs,

:

v. :

:

HSBC BANK NEVADA, N.A. and HSBC:

CARD SERVICES, INC. :

:

Defendants. :

PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION

Plaintiffs, by and through their counsel and pursuant to the Settlement Agreement, hereby move this Court, pursuant to Rule 23 of the Federal Rules of Civil Procedure, to enter an order, in the form attached hereto as Exhibit A, granting (i) final approval of the proposed settlement of this case (the "Settlement") as fair, reasonable, and adequate; (ii) final approval of the methods and forms of notice provided to Class members; (iii) final certification of the Class for settlement purposes; and (iv) final approval of the plan of allocation. In support thereof, Plaintiffs are contemporaneously filing a (1) Memorandum of Law in Support of Plaintiffs' Motion for Final

¹ It has come to the parties' attention that the Settlement Agreement contained two typographical errors. These typographical errors have been corrected in the proposed Final Approval Order attached hereto. More specifically, in Section III.G.1 of the Settlement Agreement, "HSBC Bank USA, Inc." should read "HSBC Bank USA, N.A.," and in Section III.G.5 of the Settlement Agreement, "this Section III.G.6" should read "this Section III.G.5." The proposed Final Approval Order provides for these corrections. Thus, upon entry of the Final Approval Order, these changes shall be incorporated into the Settlement Agreement.

Approval of Class Action Settlement and Plan of Allocation, (2) Joint Declaration of Kenneth J. Grunfeld, Diane E. Sammons, and Kevin Landau in Support of Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation, (3) Declaration of Jonathan B. Marks, and (4) Affidavit of Christopher M. Walsh, Esq. Regarding Dissemination of Notice to Class.

DATED: September 17, 2012 Respectfully submitted,

GOLOMB & HONIK, P.C.

/s/ KJG2445

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Co-Lead Class Counsel and Attorneys for the Plaintiffs

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true and correct copy of the foregoing **PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION** was served on all counsel of record on this 17th day of September, 2012 via the Court's CM/ECF Filing System.

/s/ KJG2445

Kenneth J. Grunfeld, Esquire